

SEP 27 2005

CLERK, U.S. DISTRICT COURT

By _____
Deputy

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

V.

BOBBY WAYNE REED

§
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§

CRIMINAL NO. 4:96-CR-068-J (1)
(CIVIL NO. 4:05-CV-515-J)


**ORDER ADOPTING FINDINGS, CONCLUSION and RECOMMENDATION
and DISMISSING MOTION TO VACATE, SET ASIDE OR CORRECT SENTENCE**

Defendant has filed a motion to vacate, set aside or correct sentence by a person in federal custody. On August 26, 2005, the United States Magistrate Judge entered *Findings, Conclusions and Recommendation* recommending therein that defendant's motion be dismissed without prejudice to defendant's right to file a motion in the United States Court of Appeals for the Fifth Circuit for leave to file a successive § 2255 motion.

The United States District Judge is of the opinion that the Magistrate Judge's *Findings, Conclusions and Recommendation* should be, and hereby is, ADOPTED. It is the further ORDER of the Court that the motion to vacate, set aside or correct sentence is, in all things, DISMISSED.

It is so ORDERED.

SIGNED this 27th day of September, 2005.


MARY LOU ROBINSON
United States District Judge